Vermont League of Cities & Towns

MORRISTOWN POLICE DEPARTMENT

Crowd Control	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by the Morristown Police Department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Vermont Statutes:	
CALEA Standard:	
Date Implemented: **02/24/2023**	Review Date: 2/21/24

I. **Purpose:** The purpose of this policy is to establish guidelines for managing crowds and preserving the peace during demonstrations, large gatherings, and the handling of civil disturbances.

II. **Policy:** It shall be the policy of the Morristown Police Department to provide an effective law enforcement presence at assemblies and gatherings in a posture that guarantees the constitutional rights of participants and promotes an orderly, lawful demonstration in the best interest of public safety and community harmony.

III. **Definitions:**

A. **Civil Disturbance:** An unlawful assembly, as defined by state statutes and local ordinances. Normally, a gathering that constitutes a breach of the peace or an assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. These are typically, but not always, spontaneous occurrences requiring the emergency mobilization of police forces and related emergency services.

B. **Demonstration:** A legal assembly of persons organized primarily to express political or other views. These are typically scheduled events that allow for prior police planning. They include but are not limited to marches, protests, and other assemblies that are largely designed to attract the attention of onlookers, the media, and others. Demonstrations can evolve into civil disturbances that necessitate enforcement actions. Although crowd control may be necessary at sporting events, festivals, concerts, and related events, these are not defined as demonstrations.

C. **Crowd Control:** Techniques used to address unlawful public assemblies, to include a show of force, crowd containment and dispersal equipment and strategies, and preparations for multiple arrests.

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D. **Crowd Management:** Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status as accomplished through event planning, pre-event contact with group leaders, and issuance of permits, intelligence gathering, personnel training, and other means.

E. **Mobile Field Force (MFF):** A platoon of police officers/deputies and sergeants usually led by lieutenant to provide a rapid, organized, and disciplined response to civil disorder, crowd control, or other tactical situations. A MFF usually consists of six to eight squads and is supplemented by specialized units such as Canine or Mounted as appropriate.

F. **Chemical agent:** means any chemical which can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. The term includes, without limitation, items commonly referred to as tear gas, pepper spray, pepper balls and oleoresin capsicum.

IV. Procedures:

A. **Crowd Management Response Team**: In order to accomplish this goal, the Morristown Police Department Chief of Police or his designee would request assistance from the Vermont State Police (VSP). The goal of the VSP is to provide a cadre of highly trained personnel, who develop the skills and expertise to diffuse emotionally charged individuals and crowds while facilitating their right to demonstrate and at the same time preventing the demonstration from escalating into a confrontation that threatens the safety of the demonstrators or the general public.

Whenever possible, the Morristown Police Department will serve as facilitators in these types of demonstrations, ensuring that they are orderly in nature, while maintaining law enforcement impartiality and sensitivity to the dynamics of the demonstration. As a facilitator, the Department will seek the inclusion of responsible community leaders, media representatives, and concerned individuals and groups whose collective expertise may be channeled to achieve the lawful assembly of such demonstrations with minimum disruption to the general public.

V. Civil Disturbances:

Officers will preserve the peace, protect life and prevent the destruction of property, and remain impartial to all parties in a demonstration. Officers may take appropriate enforcement action when a demonstration violates the provisions of the State laws. Officers will notify supervisors when such demonstrations take place whenever they become aware of a demonstration and the on-duty CMRT will be dispatched to assess the situation and coordinate an effective response in concert with the Incident Commander.

a. **Responding Officer:** The first officer on the scene of a civil disturbance will observe the situation from a safe distance, notify the Dispatch of the seriousness of the situation, notify a supervisor as soon as practicable, request the CMRT to respond, and attempt to identify, by observation, the leader of the group.

b. **Incident Commander:** The responding supervisor will assume command of the incident until relieved by a higher authority. Supervisors will assess the situation; consult with the responding CMRT supervisor to determine the appropriate response, establish a command post, inform Dispatch of the crowd size; mood, weapons involved and any property destroyed, injuries, and deploy necessary traffic control in the area.

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c. **Riots:** When the Incident Commander and the CMRT supervisor have determined that the crowd has become violent and destructive requiring additional police action, the Mobile Field Force will be deployed. The Mobile Field Force Commander will assume command of the incident, and when an adequate number of personnel are in place, issue a dispersal order to the crowd via the public-address system, establish a time limit for dispersal. Where feasible an officer should be positioned at the rear of the crowd to ensure demonstrators at the rear of the assembly can hear the dispersal order and be given adequate time to comply and disperse. The Officer will communicate with the Incident Commander when the warning is heard. This officer will file a written report and forward it to the incident commander. When necessary, order the use of Mobile Field Force tactics to restore order and disperse the crowd.

d. **Mutual Aid:** Requests for mutual aid will be governed by compliance with state statute.

VI. Mobile Field Force: A mobile field force will be led by a sergeant or higher and is normally deployed for the following assignments:

i. To rescue police officers under hazardous conditions.

ii. To apprehend multiple offenders, i.e. looters.

iii. To isolate areas of civil disorder or disaster by the use of large, organized perimeters.

iv. To control or disperse unruly crowds

v. Other assignments as required.

VII. Use of Force

A. An officer shall not, in response to a protest or demonstration use a chemical agent without first declaring that the protest or demonstration constitutes an unlawful assembly and providing to the persons who are present at the protest or demonstration orders to disperse, given in a manner that each order may be heard by those persons, including, without limitation, issuing the order from multiple locations and issuing the order in multiple languages. An egress route from the area where the protest or demonstration is occurring; and a reasonable amount of time to disperse from the area where the protest or demonstration is occurring.

VIII. Reporting and Investigation: Established use-of-force/response to active resistance reporting of this Department is equally applicable to policing mass demonstrations and civil disturbances. However, reporting, documenting, and reporting use of force in the context of civil disturbances and mass demonstrations can be hampered by logistical and safety concerns. As such, this agency's internal affairs or professional standards unit shall comply with the following protocols during such events:

A. A member of the professional compliance unit or internal affairs (IA) unit, as appropriate, shall be assigned to the command post of the incident commander during a mass demonstration or civil disturbance to coordinate and record force-related information and complaints.

B. The IA team will review all incidents of use of force and investigate all complaints of excessive force. The IA team should be prepared to deploy quickly to a serious use of force incident and initiate an investigation as soon as practicable when a complaint is generated.

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C. The IA team shall have full access to all video and photographic records documenting police and crowd actions.

D. The IA team will complete a comprehensive after-action report describing the use of force deployed during the event.

E. The IA team shall have full access to all video and photographic records documenting law enforcement and crowd actions.

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